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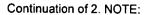
UNITED STATE: DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231 www.uspto.gov

APPLICATION NO.	LICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/825,909	09/825,909 04/04/2001		David L. Thompson	P-8999	3722	
27581	7590	04/15/2003				
MEDTRONI	•		EXAMINER			
710 MEDTRONIC PARKWAY NE MS-LC340				OROPEZA, F	OROPEZA, FRANCES P	
MINNEAPOLIS, MN 55432-5604				ART UNIT	PAPER NUMBER	
				ARTONII	PAPER NUMBER	
				3762	^	
				DATE MAILED: 04/15/2003	4	

Please find below and/or attached an Office communication concerning this application or proceeding.

d			/Υ.
	Application No.	Applicant(s)	
Advisory Action	09/825,909	THOMPSON ET AL.	
	Examiner	Art Unit	
	Frances P. Oropeza	3762	
The MAILING DATE of this communication appe			
THE REPLY FILED 07 April 2003 FAILS TO PLACE THI Therefore, further action by the applicant is required to av final rejection under 37 CFR 1.113 may only be either: (1) condition for allowance; (2) a timely filed Notice of Appeal Examination (RCE) in compliance with 37 CFR 1.114.	old abandonment of this application at the same of the	ation. A proper reply to a	
PERIOD FOR RE	PLY [check either a) or b)]		
a) The period for reply expiresmonths from the mailing b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire Is ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The	Advisory Action, or (2) the date set forth ater than SIX MONTHS from the mailing FILED WITHIN TWO MONTHS OF THE date on which the petition under 37 CE	g date of the final rejection. HE FINAL REJECTION. See MPEP R 1 136(a) and the appropriate extension	
fee have been filed is the date for purposes of determining the period of fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the context (2) as set forth in (b) above, if checked. Any reply received by the Offic timely filed, may reduce any earned patent term adjustment. See 37 C	f extension and the corresponding amo the shortened statutory period for reply the later than three months after the mail	unt of the fee. The appropriate extension	
1. A Notice of Appeal was filed on Appellant's 37 CFR 1.192(a), or any extension thereof (37 CFF	Brief must be filed within the pet 1.191(d)), to avoid dismissal o	eriod set forth in f the appeal.	
$2 \boxtimes$ The proposed amendment(s) will not be entered be	ecause:		
(a) $oxed{oxed}$ they raise new issues that would require furthe	er consideration and/or search (s	see NOTE below);	
(b) they raise the issue of new matter (see Note b		,,	
 (c) they are not deemed to place the application in issues for appeal; and/or 	better form for appeal by mate	rially reducing or simplifying the	
(d) they present additional claims without canceling	ng a corresponding number of fi	nally rejected claims.	
NOTE: See Continuation Sheet.			
3. Applicant's reply has overcome the following rejection	on(s): <u>35 U.S.C. 112 rejections of t</u>	<u>record</u> .	
4. Newly proposed or amended claim(s) would canceling the non-allowable claim(s).	be allowable if submitted in a se	parate, timely filed amendment	
5. The a) affidavit, b) exhibit, or c) request for application in condition for allowance because:	reconsideration has been consideration	dered but does NOT place the	
6. The affidavit or exhibit will NOT be considered becaraised by the Examiner in the final rejection.	ause it is not directed SOLELY to	o issues which were newly	
7. For purposes of Appeal, the proposed amendment(explanation of how the new or amended claims wo	s) a) will not be entered or b) uld be rejected is provided belo	will be entered and an wor appended.	
The status of the claim(s) is (or will be) as follows:			
Claim(s) allowed:			
Claim(s) objected to:			
Claim(s) rejected: <u>1-7</u> .			
Claim(s) withdrawn from consideration:			
8. The proposed drawing correction filed on is a	a) approved or b) disappi	oved by the Examiner.	
9. Note the attached Information Disclosure Statemen	t(s)(PTO-1449) Paper No(s).		
10. Other:	· · · · · · · · · · · · · · · · · · ·		
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JP. Oropingo 4/11/03

The Applicant amended independent claim 1 to include a processor in the implantable medical device, an external sensor module to continuously collect physiological data, the sensor module continuously transmitting the collected physiological data to the implanted medical device, and the processor processing the physiological data to produce therapy delivery control signals in implementation of a dynamic closed loop self monitoring therapy delivery. These amendments introduce new issues and require a new search and further consideration.

AN CUIDETHIA

ANGELA D. SYKES SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 3700

Cingela D. Ligher